

# ***Protecting your Privacy***



## **HIPAA has arrived:**

The Health Insurance Portability and Accountability Act (HIPAA) has been around for years. As of April 14, 2003, however, the law's privacy provisions are in effect and every health care provider and every health plan has had to make significant changes in the way they deal with protected health information (PHI) in every phase of their operation. Patients now must receive a privacy notice each time they go to a health care provider, explaining how their PHI will be disclosed. They will receive similar notices in the mail from their health and dental plans. While the law does not directly cover employers, it will change the way County employees are allowed to work with the health plans on behalf of the retirees who call with questions or concerns.

## **You may always discuss with County Representatives:**

- Enrollment issues.
- How the plan works, what is covered, co-payments, etc.
- Complaints about plan design, service provided, etc.
- How to contact the plan, how to get HIPAA information, obtain an HIPAA authorization form or file a privacy complaint,
- Any issues you want to discuss with us. However, please be aware that, due to federal privacy regulations, you will need to contact the plan directly for help with specific claims issues because the plans will not release any information about you to anyone else without your written authorization on a form provided to you by the insurance company.

## **Reminder:**

- Federal law generally requires individuals to submit an authorization form to the plan before the plan is able to discuss protected health information with anyone else. The form will list the specific information that the individual wants released (i.e. claim payment information about my visit to Dr. X on a particular date), to whom the information is to be released and the length of time the authorization is to be in effect. Some plans even require authorization forms before they will release information about the caller's spouse or non-minor children.

Forms are also available that will allow an individual to name someone else as their personal representative. Then the plan can release the member's PHI to that personal representative without restriction.

Here is the latest information from each of the plans about how to get authorization forms. Each company has slightly different policies.

- **FairChoice/BluePreferred:** Call Betsi Fuhrman at 703-324-3474 or customer service at 1-800-441-1164 to discuss any claim issues or to get a copy of the authorization form. It is available on CareFirst's web page at: <http://www.carefirst.com/pdf/authorization.pdf>. Spouses will need authorization forms.
- **Kaiser:** Contact the medical records section of your Kaiser center to obtain the necessary authorization form or go to the Kaiser web site to download the form (<http://www.kp.org/locations/midatlantic/healthplans/brokers/authreleasemedinfo.pdf>). Authorization forms will always be required to discuss PHI with the Benefits staff and spouses.
- **CIGNA:** Members should contact customer service at 1-800-224-6224 to obtain a HIPAA authorization form. Customer service personnel state that they will discuss PHI with anyone who keys in the requested verifying information (i.e. zip codes, Social Security Numbers, etc.). The official policy, however, is that an authorization form is required before PHI is released to anyone not on the policy (i.e. spouses don't need authorizations.) If an authorization is needed, the member should contact customer service (it is not available on their web site yet but will be soon).
- **Aetna** (for Long-Term Care): Nothing is available on their website. Members should call Aetna at 1-800-537-8521 to get the HIPAA authorization form. Nothing will be on their web site. Authorizations will be required to get information on a spouse.
- **Dental Benefit Providers (DBP):** Member should contact customer service at 1-800-445-9090 to request an authorization form. Customer service will release PHI to the Benefits staff. Form is needed for spouse.
- **Dominion Dental:** Nothing about HIPAA is on their web site. They will not release PHI to County representatives (or even to a spouse) without a signed authorization form. Forms are only available by calling customer service at 1-888-518-5338.

**For Privacy Complaints:**

*Fairfax County HIPAA Compliance Manager  
Fairfax County Government Center  
12000 Government Center Parkway, Suite 527  
Fairfax, VA 22035  
(703) 324-4136 -- TTY (703) 968-0217  
<http://www.fairfaxcounty.gov/hipaa/contact/>*